

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	4:04CR3136
v.)	
)	
ZACHARY HRASKY,)	
)	MEMORANDUM AND ORDER
Defendant.)	
)	

Defendant has moved for a modification of his conditions of release to allow him to attend a commercial truck driving school and live in Cheyenne, Wyoming. The motion does not state whether there are any other offerings of professional truck driving courses in this jurisdiction, nor any schedule for such classes. In addition, the court is not apprised of the defendant's plan to comply with conditions of release if the Wyoming pretrial services staff is unable to offer courtesy supervision.

Also of concern is whether the taking of such a course of study can lead to anything. Defendant is a convicted felon and has had numerous driving violations. In fact, his drivers license has been revoked or suspended at least twice in the past. At the time of the preparation of the pretrial services report in this case, defendant had six prior convictions for driving on a suspended license and was facing two additional such charges--his seventh and eighth. While admittedly the court is not informed of whether with such a bad driving history, defendant could nevertheless be eligible for a commercial driver's license, it does not appear likely.

I cannot say absolutely that defendant could never be permitted to attend his requested schooling. I would need additional information addressed to the above issues before considering the matter again.

IT THEREFORE HEREBY IS ORDERED,

The motion to modify conditions of release, filing 51, is denied without prejudice to a subsequent proposal which addresses the above concerns.

DATED this 22nd day of June, 2005.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge